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**PATENT**

Attorney Docket No.: 4366-53  
Avaya File No. 401050-A-01-US (Shaffer)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re the application of:**

SHAFFER

Serial No.: 10/002,073

Filed: October 31, 2001

**For: "DYNAMIC ALLOCATION OF PROCESSING  
TASKS USING VARIABLE PERFORMANCE  
HARDWARE PLATFORMS"**

) Group Art Unit: 2151  
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) Examiner:  
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**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT**  
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CERTIFICATE OF MAILING

~~RECEIVED~~

MAR 29 2002

**Technology Center 2100**

**Assistant Commissioner for Patent  
Washington, D. C. 20231**

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE OR  
FEE IS BEING DEPOSITED WITH THE UNITED STATES  
POSTAL SERVICE AS FIRST CLASS MAIL IN AN  
ENVELOPE ADDRESSED TO ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, D.C.  
20231 ON THIS 15 DAY OF MARCH, 2009  
SHERIDAN ROSS P.C.

BY: *lumee*

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner. Copies of the cited references:

Are enclosed herewith.

Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_, titled \_\_\_\_\_, and having a filing date of \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120

To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

Examiner's attention is drawn to the following co-pending applications: Serial Nos. \_\_\_\_\_

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be

drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

## FEES

<input checked="" type="checkbox"/>	<p>No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is being filed:</p> <p><input type="checkbox"/> within three months of the filing date of the application or date of entry into the national stage of an international application or</p> <p><input checked="" type="checkbox"/> before the mailing date of a first Office Action on the merits, whichever occurs last. 37 C.F.R. 1.97(b).</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>The information disclosure statement transmitted herewith is being filed after three months of the filing date of this national application or the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever occurred last but before the mailing date of either:</p> <p>(1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, whichever occurs first. This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. OR</p> <p><input type="checkbox"/> A check in the amount of \$240.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>This Information Disclosure Statement is being submitted after the mailing date of a final action under §1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p>AND</p> <p><input type="checkbox"/> Applicants hereby petition for consideration of the references disclosed herein. Enclosed is a petition fee in the amount of \$130.00 under 37 C.F.R. 1.17(i)(1). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>Applicant elects to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement, and the enclosed check includes \$240.00 for payment of such fee. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>

**Certification (37 C.F.R. 1.97(e))**  
(Applicable only if checked)

The undersigned certifies that:

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

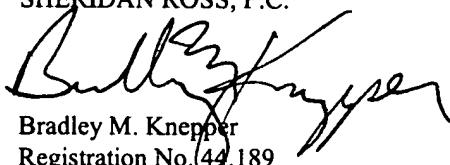
A copy of the communication from the foreign patent office is enclosed.

OR

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

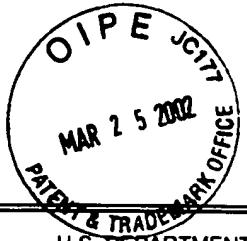
Respectfully submitted,

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SHEET 1 OF 1

FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 4366-53	SERIAL NO. 10/002,073
	APPLICANT SHAFFER	
	FILING DATE October 31, 2001	GROUP ART 2151

### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	AA	5,978,831	11/2/99	Ahamed et al.	709	105	RECEIVED
							MAR 29 2002
							Technology Center 2151

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO

### OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)


EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.